

The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHARLES and LAURA GORMAN, and
JESSE and Brigitte McCune, on behalf of
themselves and others similarly situated,

Plaintiffs,

vs.

NATIONAL CITY HOME LOAN
SERVICES, INC.,

Defendant.

No. CV06-0618

**DECLARATION OF JOAN P.
FELDMAN IN SUPPORT OF
DEFENDANT NATIONAL CITY
HOME LOAN SERVICES, INC.'S
MOTION FOR SUMMARY
JUDGMENT**

I, Joan P. Feldman, declare as follows:

1. I am Secretary of defendant National City Home Loan Services, Inc. I
submit this declaration in support of National City Home Loan Services, Inc.'s motion for

DECLARATION OF JOAN P. FELDMAN - 1
(CV06-0618)

JAMESON BABBITT STITES & LOMBARD, P.L.L.C.
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1 summary judgment on the claims of plaintiffs Charles and Laura Gorman (the "Gormans")
2 and Jesse and Brigitte McCune (the "McCunes") in the above entitled action.

3 2. I am familiar with the corporate structure of National City Home Loan
4 Services, Inc. and its sole shareholder, National City Bank of Indiana. I am also familiar
5 with National City Bank of Indiana's and National City Home Loan Services, Inc.'s
6 satisfaction of the requirements for operating subsidiaries of national banks, as set out by
7 the Office of the Comptroller of the Currency ("OCC") in 12 C.F.R. § 5.34(e)(5).
8

9 3. National City Home Loan Services, Inc. is, and was at the time the Gormans
10 and the McCunes paid the facsimile fees at issue, a wholly owned operating subsidiary of
11 National City Bank of Indiana, which is a national bank chartered under the National Bank
12 Act, 12 U.S.C. § 1 *et seq.*
13

14 4. National City Home Loan Services, Inc. is, and was at the time the Gormans
15 and the McCunes paid the facsimile fees at issue, a Delaware corporation in good standing.


16 5. National City Bank of Indiana provided any notice to the OCC that was
17 required under 12 C.F.R. § 5.34(e).
18

19 6. For as long as it has been an operating subsidiary of National City Bank of
20 Indiana, National City Home Loan Services, Inc. has been involved only in those activities
21 which are authorized pursuant to 12 C.F.R. § 5.34(e)(1) for national banks and their
22 operating subsidiaries.


23 7. National City Home Loan Services, Inc. also does business under the name
24 First Franklin Loan Services.
25
26

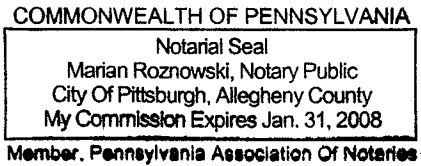
1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on July 20, 2006.

3
4 
Joan P. Feldman

5 Subscribed and sworn to before me
6 this 20 day of July, 2006.

7 
8 Notary Public



DECLARATION OF JOAN P. FELDMAN - 3
(CV06-0618)

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